

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TENNESSEE  
WESTERN DIVISION

FILED BY *JF* D.C.

05 OCT 31 AM 6:51

THOMAS M. GOULD  
CLERK, U.S. DISTRICT COURT  
WD OF TENN. MEMPHIS

UNITED STATES OF AMERICA,

Plaintiff,

vs.

MICHAEL ELY,

Defendant.

CR. NO. 05-20129-Ma

ORDER ON CONTINUANCE AND SPECIFYING PERIOD OF EXCLUDABLE DELAY

This cause came on for a report date on September 23, 2005. Defense requested a continuance in order to allow for additional time to prepare.

The Court granted the request and continued the trial to the rotation docket beginning Monday, December 5, 2005 at 9:30 a.m. with a report date of Wednesday, November 23, 2005 at 2:00 p.m.

The period from September 23, 2005 through December 16, 2005 is excludable under 18 U.S.C. § 3161(h)(8)(B)(iv) because the interests of justice in allowing additional time to prepare outweigh the need for a speedy trial.

IT IS SO ORDERED this 28th day of October, 2005.

*[Signature]*  
SAMUEL H. MAYS, JR.  
UNITED STATES DISTRICT JUDGE



## Notice of Distribution

This notice confirms a copy of the document docketed as number 43 in case 2:05-CR-20129 was distributed by fax, mail, or direct printing on November 2, 2005 to the parties listed.

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Honorable Samuel Mays  
US DISTRICT COURT